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DOCKET FILE COPY ORIGINAL

WC 09-113

FILED/ACCEPTED

MAY 19 2009

Federal Communications Commission  
Office of the Secretary

**VIA HAND DELIVERY**

May 19, 2009

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Commission Secretary  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Re: Section 63.71 Application of Advanced Tel, Inc. d/b/a EATEL for Authority to  
Discontinue Certain Services  
WC Docket No. 08-231-Comp. Pol. File No. 887

John Staurulakis, Inc. (JSI) respectfully files the enclosed Application of Advanced Tel, Inc. d/b/a EATEL ("EATEL") for Authority to Discontinue Certain Services. This filing is made in compliance with Section 63.71 of the Commission's rules (47 C.F.R. § 63.71).

On October 21, 2008, JSI filed the captioned Application of EATEL for Authority to Discontinue Certain Services in the states of Arkansas, Florida, Georgia, North Carolina, South Carolina, and Tennessee<sup>1</sup>. This filing was also made in compliance with Section 63.71 of the Commission's rules. The Commission issued its Public Notice with respect to this Application Filing on November 24, 2008<sup>2</sup>, and in light of the fact that this action was uncontested the discontinuance of long distance service in the noted states became effective on December 25, 2008.

In conjunction with compiling tax information earlier this month, the Company discovered that seven (7) customers, (five (5) customers located in Florida and two (2) customers located in Georgia) had neither received Notice of the discontinuance of service,

<sup>1</sup> F.C.C. Section 63.71 Application of Advanced Tel, Inc., D/B/A Eatel To Discontinue Domestic Telecommunications Services, WC Docket No. 08-231, filed October 21, 2008.

<sup>2</sup> F.C.C. Public Notice, Comments Invited on Application of Advanced Tel, Inc., D/B/A/ Eatel To Discontinue Domestic Telecommunications Services, WC Docket No. 08-231, rel. November 24, 2008.

Echelon Building II, Suite 200  
9430 Research Blvd.  
Austin, Texas 78759  
phone: 512-338-0473, fax: 512-346-0822

Eagandale Corporate Center, Suite 310  
1380 Corporate Center Curve  
Eagan, Minnesota 55121  
phone: 651-452-2660, fax: 651-452-1909

6849 Peachtree Dunwoody Road  
Building B-3, Suite 200  
Atlanta, Georgia 30328  
phone: 770-569-2105, fax: 770-410-1608

547 South Oakview Lane  
Bountiful, Utah 84010  
phone: 801-294-4576, fax: 801-294-5124

**M. Dortch**

**Page 2**

nor had they been disconnected from long distance service. This error resulted from the fact that these customers' locations had been incorrectly geo-coded, and did not originally appear to be located in the affected service territory. Consequently, they were overlooked when the customers that were affected by the discontinuance of long distance service were identified and subsequently notified. For this reason, Eatel is filing the enclosed new Section 63.71 Application to address this oversight.

The Company has also taken corrective measures, and sent a Notice to these customers, to make them aware of the fact that their long distance service is going to be discontinued. A copy of this Notice that was sent to these customers is included with this Application as Exhibit B. The Notice sent to these customers is identical to the Notice that was previously sent to the other customers affected by this service change, except for the necessary date changes. The Notice states that these customers will be given seventy seven (77) days from the date of the Notice to locate a new service provider in their area. Eatel is also working directly with these customers to assist with this transition, and has contacted both the Georgia and Florida Public Service Commissions to make them aware of this situation.

In light of the fact that this error was unforeseeable, the number of customers affected is very small, the affected customers have not been harmed by this oversight in any way, and the authorization that is being requested has already been granted by the FCC; the Company respectfully requests that this matter be handled as expeditiously as possible.

Enclosed are the original and four (4) copies of this letter with attachments. An additional copy of this transmittal letter is included with this filing marked "File Stamp Copy" along with a self-addressed stamped envelope. Please provide the appropriate stamp on this letter denoting that this filing has been received by the Commission, and return this letter in the envelope provided to JSI.

Should you have any questions, please do not hesitate to call me at 301-459-7590.

Sincerely,



Kenneth T. Cartmell  
Senior Consultant- Regulatory Affairs

KTC/tms  
Enclosures

CC: Janet S. Britton, Advanced Tel, Inc. d/b/a EATEL  
Carmel Weathers, Federal Communications Commission

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of	)	
	)	
Section 63.71 Application of	)	
Advanced Tel, Inc. d/b/a EATEL	)	Comp. Pol. File No. _____
For Authority to Discontinue	)	
Certain Services	)	

**SECTION 63.71 APPLICATION**

Pursuant to Sections 63.71 of the Commission's Rules<sup>1</sup> and Section 214(a) of the Communications Act of 1934, as amended,<sup>2</sup> Advanced Tel, Inc. d/b/a EATEL ("EATEL" or the "Company") hereby files this application to discontinue the provision of long distance service, to a small number of customers that the Company serves in the States of Florida and Georgia ("Application").<sup>3</sup> In support of this Application, EATEL submits the following:

**I. Information Required by Section 63.71(a)(1) -(4)**

**A. Name and Address of Carrier**

Advanced Tel, Inc. d/b/a EATEL  
913 South Burnside Avenue  
Gonzales, Louisiana 70737-4258

For purposes of this Application, the Commission may contact:  
Janet S. Britton, Director, Legal and Regulatory Affairs  
Advanced Tel, Inc. d/b/a EATEL  
913 South Burnside Avenue  
Gonzales, Louisiana 70737-4258

**B. Date of Planned Service Discontinuance**

EATEL plans to discontinue service to its customers in the States of Florida and Georgia on or about July 31, 2009, or upon completion of obtaining all necessary federal and state regulatory approvals.

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<sup>1</sup> See 47 C.F.R. § 63.71.

<sup>2</sup> See 47 U.S.C. § 214(a).

<sup>3</sup> As required by Section 63.71(a) of the Commission's Rules, EATEL has notified and submitted a copy of this Application concurrent with this filing, to the Florida and Georgia Public Service Commissions, the Governor of each of these States, and the Secretary of the Department of Defense.

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**C. Points of Geographic Areas of Service Affected**

EATEL currently serves a total of seven (7) customers in the affected States. Specifically, EATEL serves five (5) customers in Florida and two (2) customers in Georgia where it intends to discontinue service. Please reference Exhibit A which reflects the number of customers, states, counties, and cities affected by the discontinuance of long distance service by EATEL.

**D. Brief Description of the Types of Services Affected**

In the areas referenced above, EATEL provides long distance service which will be discontinued.

**II. Description of the Dates and Methods of Notice to All Affected Customers**

On May 15, 2009, EATEL sent written Notices to all affected customers in the States of Florida and Georgia. A sample copy of the Notices sent to these customers is attached as Exhibit B.

**III. Status of Carrier**

EATEL is non-dominant with respect to the services that it proposes to discontinue in the States of Florida and Georgia.

**IV. Circumstances of Discontinuance**

The Company's decision to discontinue long distance telephone service in Florida and Georgia was a difficult decision. However, Advanced Tel, Inc has so few customers in these States as noted above, that the costs of doing business in these locations outweighs any revenues collected or other benefits associated with conducting business in these States.

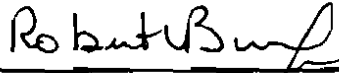
**V. Certification**

On behalf of EATEL, I, the undersigned President and Chief Operating Officer of EATEL, Robert L. Burgess, hereby certify that the statements contained herein are true, complete and correct to the best of my knowledge and made in good faith.

**VI. Conclusion**

For the reasons stated herein, the Company respectfully requests grant of this Application.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Robert Burgess", is written over a horizontal line.

Robert L. Burgess  
President and Chief Operating Officer

Advanced Tel, Inc. d/b/a EATEL  
913 South Burnside Avenue  
Gonzales, Louisiana 70737-4258

May 19, 2009

# **Exhibit A**

**Advanced Tel Inc., d/b/a EATEL**

**States/Counties/Cities affected by the Discontinuance of  
Long Distance Service**

**Exhibit A**

**Florida-Five (5) Customers**

*Santa Rosa County*

Milton

*Escambia County*

Pensacola

*Duval County*

Jacksonville

*Pinellas County*

St. Petersburg

*Brevard County*

Cocoa

**Georgia-Two (2) Customers**

*Coweta County*

Newnan

*Dade County*

Wildwood

# **Exhibit B**





May 15, 2009

William C. Shourd  
980 Old Birmingham Hwy  
Wildwood, GA 30757

**RE: Notice of Discontinuance of Long Distance Services for (706)820-2257 and (457)114-2256**

Dear Mr. Shourd:

This letter is to inform you that on or about July 31, 2009, Advanced Tel, Inc. d/b/a EATEL will no longer be providing domestic or international long distance service within the state of Georgia. We are providing this notice well in advance of our target termination date to provide you sufficient time to make the necessary arrangements with another carrier. It is our understanding that domestic and international long distance services are available to you from a number of other carriers. Generally, you will find a list of long distance service providers in your local telephone directory. In order to make your selection, you must contact your long distance service provider of choice and request that your service be switched to that provider. Advanced Tel, Inc. will change you to one alternate provider at no charge during the six (6) month period from the date of this letter.

The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the FCC releases the public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, referencing the §63.71, Application of Advanced Tel, Inc. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

If you have any questions about this notice or Advanced Tel's service discontinuance, please contact Janet Britton at 1-800-621-4211, extension 4498.

We thank you for the opportunity to have served you.

Sincerely,

A handwritten signature in black ink, appearing to read "Janet S. Britton". The signature is fluid and cursive, written over the typed name and title.

Janet S. Britton  
Director of Legal and Regulatory Affairs

JSB:alw



May 15, 2009

Warren C. Bienvenu  
1110 NW 161st Avenue  
Pembroke, FL 33028

**RE: Notice of Discontinuance of Long Distance Services for (888)494-6328**

Dear Mr. Bienvenu:

This letter is to inform you that on or about July 31, 2009, Advanced Tel, Inc. d/b/a EATEL will no longer be providing domestic or international long distance service within the state of Florida. We are providing this notice well in advance of our target termination date to provide you sufficient time to make the necessary arrangements with another carrier. It is our understanding that domestic and international long distance services are available to you from a number of other carriers. Generally, you will find a list of long distance service providers in your local telephone directory. In order to make your selection, you must contact your long distance service provider of choice and request that your service be switched to that provider.

The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the FCC releases the public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, referencing the \$63.71, Application of Advanced Tel, Inc. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

If you have any questions about this notice or Advanced Tel's service discontinuance, please contact Janet Britton at 1-800-621-4211, extension 4498.

We thank you for the opportunity to have served you.

Sincerely,

A handwritten signature in black ink, appearing to read "Janet S. Britton".

Janet S. Britton  
Director of Legal and Regulatory Affairs

JSB:alw